LAW OFFICES

GOLDBERG, GODLES, WIENER & WRIGHT LLP

1229 NINETEENTH STREET, N.W. WASHINGTON, D.C. 20036

HENRY GOLDBERG JOSEPH A. GODLES JONATHAN L. WIENER DEVENDRA ("DAVE") KUMAR LAURA A. STEFANI (202) 429-4900 TELECOPIER: (202) 429-4912 general@g2w2.com

HENRIETTA WRIGHT THOMAS G. GHERARDI, P.C. COUNSEL

THOMAS S. TYCZ* SENIOR POLICY ADVISOR *NOT AN ATTORNEY

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Marlene H. Dortch, Secretary Federal Communications Commission 445 12th Street, SW Washington, DC 20554

Re: *Ex Parte*, CS Docket No. 97-80, PP Docket No. 00-67, MB Docket No. 12-328, CSR-8740-Z

Dear Ms. Dortch:

This is to inform you that on January 17, 2013, Matthew Zinn, Senior Vice President, General Counsel, Secretary & Chief Privacy Officer, TiVo Inc. ("TiVo") spoke via telephone with Lyle Elder, Legal Advisor to Chairman Genachowski. On January 15, 2013, Mr. Zinn and the undersigned met with the following Commission personnel: (1) Jonathan Chambers, Acting Chief, Office of Strategic Planning & Policy Analysis; (2) Commissioner Jessica Rosenworcel and Alex Hoehn-Saric, Policy Director for Commissioner Rosenworcel; (3) Matthew Berry, Chief of Staff to Commissioner Ajit Pai; and (4) Bureau Chief William Lake, Deputy Bureau Chief Michelle Carey, Nancy Murphy, Mary Beth Murphy, Brendan Murray, Alison Greenwald Neplokh, Steve Broeckaert, and Adam Copeland, all of the Media Bureau.

During these conversations, TiVo discussed the continued importance of the Commission's rules and policies under Section 629 of the Communications Act that allow retail set-top box and other navigation device manufacturers access to MVPD-provided signals, including the CableCARD rules. These rules continue to serve two main purposes. First, by setting a standard, the rules ensure that manufacturers can

offer consumers innovative products and services secure in the knowledge that the devices will work across different MVPD systems. Second, the presence of the CableCARD standard has also allowed for greater competition among manufacturers providing set-top boxes to cable operators and other MVPDs, leading to innovation and lower costs to operators and, in turn, to consumers. For example, the CableCARD standard has allowed TiVo to enter into deals with several smaller cable operators to supply operator-provided DVRs and/or DVR software to their subscribers.

TiVo also stressed the importance of enforcing the existing CableCARD rules. Since the Commission strengthened the CableCARD rules in 2010, TiVo's surveys of MSO compliance with CableCARD rules have shown generally increasing compliance — a sign that signaling continued FCC emphasis on enforcing CableCARD rules leads to greater compliance and furthers the goals of Section 629. TiVo expressed support for the development of new solutions that would enable retail boxes to access cable signals and urged the Commission not to grant any waivers that would undercut the CableCARD regulations, which the Commission strengthened in 2010, and stall the impetus for the development of a fully-compliant successor to CableCARD. Weakening CableCARD rules via waivers, lack of enforcement, or other means hurts innovation and retail choice, thwarting the common reliance goal of the CableCARD rules. Allowing operators to deploy set-top boxes that do not rely on the common CableCARD standard would permit them to offer additional services, features, or functionality not available to CableCARD devices and would put retail devices at a disadvantage, at odds with the clear command of Section 629.

Finally, TiVo discussed the growing use of IP signals in all forms of delivery of video to the home, and the need for a successor standard to CableCARD that ensures the continued availability of signals in an IP world.

Please direct any questions regarding this matter to the undersigned.

Respectfully,

Henry Goldberg Devendra T. Kumar

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Attorneys for TiVo Inc.

cc: Lyle Elder Jonathan Chambers Alex Hoehn-Saric Matthew Berry
William Lake
Michelle Carey
Nancy Murphy
Mary Beth Murphy
Brendan Murray
Alison Neplokh
Steve Broeckaert
Adam Copeland